

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

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IN RE PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESALE PRICE  
LITIGATION

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)  
) MDL NO. 1456  
) Civil Action No. 01-12257-PBS  
) Subcategory No.: 03-10643  
)

THIS DOCUMENT RELATES TO:

) Judge Patti B. Saris  
)

*The City of New York v. Abbott Labs., et al.*

(S.D.N.Y. No. 04-CV-06054)

*County of Albany v. Abbott Labs., et al.*

(N.D.N.Y. No. 05-CV-00425)

*County of Allegany v. Abbott Labs., et al.*

(W.D.N.Y. No. 05-CV-06231)

*County of Broome v. Abbott Labs., et al.*

(N.D.N.Y. No. 05-CV-00456)

*County of Cattaraugus v. Abbott Labs., et al.*

(W.D.N.Y. No. 05-CV-06242)

*County of Cayuga v. Abbott Labs., et al.*

(N.D.N.Y. No. 05-CV-00423)

*County of Chautauqua v. Abbott Labs., et al.*

(W.D.N.Y. No. 05-CV-06204)

*County of Chemung v. Abbott Labs., et al.*

(W.D.N.Y. No. 05-CV-06744)

*County of Chenango v. Abbott Labs., et al.*

(N.D.N.Y. No. 05-CV-00354)

*County of Columbia v. Abbott Labs., et al.*

(N.D.N.Y. No. 05-CV-00867)

*County of Cortland v. Abbott Labs., et al.*

(N.D.N.Y. No. 05-CV-00881)

*County of Dutchess v. Abbott Labs., et al.*

(S.D.N.Y. No. 05-CV-06458)

*County of Essex County v. Abbott Labs., et al.*

(N.D.N.Y. No. 05-CV-00878)

*County of Fulton v. Abbott Labs., et al.*

(N.D.N.Y. No. 05-CV-00519)

[Caption Continues on Next Page]

**PROPOSED ORDER OF DISMISSAL OF PLAINTIFFS' CLAIMS  
AGAINST AMGEN INC. AND IMMUNEX CORPORATION**

<i>County of Genesee v. Abbott Labs., et al.</i>	)
(W.D.N.Y. No. 05-CV-06206)	)
<i>County of Greene v. Abbott Labs., et al.</i>	)
(N.D.N.Y. No. 05-CV-00474)	)
<i>County of Herkimer v. Abbott Labs., et al.</i>	)
(N.D.N.Y. No. 05-CV-00415)	)
<i>County of Jefferson v. Abbott Labs., et al.</i>	)
(N.D.N.Y. No. 05-CV-00715)	)
<i>County of Lewis v. Abbott Labs., et al.</i>	)
(N.D.N.Y. No. 05-CV-00839)	)
<i>County of Madison v. Abbott Labs., et al.</i>	)
(N.D.N.Y. No. 05-CV-00714)	)
<i>County of Monroe v. Abbott Labs., et al.</i>	)
(W.D.N.Y. No. 05-CV-06148)	)
<i>County of Nassau v. Abbott Labs., et al.</i>	)
(E.D.N.Y. No. 04-CV-5126)	)
<i>County of Niagara v. Abbott Labs., et al.</i>	)
(W.D.N.Y. No. 05-CV-06296)	)
<i>County of Oneida v. Abbott Labs., et al.</i>	)
(N.D.N.Y. No. 05-CV-00489)	)
<i>County of Onondaga v. Abbott Labs., et al.</i>	)
(N.D.N.Y. No. 05-CV-00088)	)
<i>County of Ontario v. Abbott Labs., et al.</i>	)
(W.D.N.Y. No. 05-CV-06373)	)
<i>County of Orange v. Abbott Labs., et al.</i>	)
(S.D.N.Y. No. 07-CV-2777)	)
<i>County of Orleans v. Abbott Labs., et al.</i>	)
(W.D.N.Y. No. 05-CV-06371)	)
<i>County of Putnam v. Abbott Labs., et al.</i>	)
(S.D.N.Y. No. 05-CV-04740)	)
<i>County of Rensselaer v. Abbott Labs., et al.</i>	)
(N.D.N.Y. No. 05-CV-00422)	)
<i>County of Rockland v. Abbott Labs., et al.</i>	)
(S.D.N.Y. No. 03-CV-7055)	)
<i>County of Saratoga v. Abbott Labs., et al.</i>	)
(N.D.N.Y. No. 05-CV-00478)	)
<i>County of Schuyler v. Abbott Labs., et al.</i>	)
(W.D.N.Y. No. 05-CV-06387)	)
<i>County of Seneca v. Abbott Labs., et al.</i>	)
(W.D.N.Y. No. 05-CV-06370)	)
<i>County of St. Lawrence v. Abbott Labs., et al.</i>	)
(N.D.N.Y. No. 05-CV-00479)	)
<i>County of Steuben v. Abbott Labs., et al.</i>	)
(W.D.N.Y. No. 05-CV-06223)	)
<i>County of Suffolk v. Abbott Labs., et al.</i>	)
(E.D.N.Y. No. CV-03-229)	)

*County of Tompkins v. Abbott Labs., et al.* )  
(N.D.N.Y. No. 05-CV-00397) )  
*County of Ulster v. Abbott Labs., et al.* )  
(N.D.N.Y. No. 06-CV-0123) )  
*County of Warren v. Abbott Labs., et al.* )  
(N.D.N.Y. No. 05-CV-00468) )  
*County of Washington v. Abbott Labs., et al.* )  
(N.D.N.Y. No. 05-CV-00408) )  
*County of Wayne v. Abbott Labs., et al.* )  
(W.D.N.Y. No. 05-CV-06138) )  
*County of Westchester v. Abbott Labs., et al.* )  
(S.D.N.Y. No. 03-CV-6178) )  
*County of Wyoming v. Abbott Labs., et al.* )  
(W.D.N.Y. No. 05-CV-6379) )  
*County of Yates v. Abbott Labs., et al.* )  
(W.D.N.Y. No. 05-CV-06172) )

The Motion for Dismissal is hereby GRANTED. All claims in this action against defendants Amgen Inc. and Immunex Corporation are dismissed with prejudice and without costs to any party.

SO ORDERED.

DATED: 4/14, 2010

  
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Judge Patti B. Saris